

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Dated: April 25, 2005

In re Application of:
JAY E. GEROW

Serial No. : 10/627,579

Group Art Unit: 3711

Filed : July 24, 2003

Examiner: Benjamin Layno

For : METHOD, APPARATUS AND GAMING SET FOR
USE IN A PROGRESSIVE GAME

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicant received a Notice of Allowance dated January 24, 2005 for the above-identified patent application. In the Notice, the Examiner allowed claims 1-40. The Examiner also paraphrased the subject matter of some of the allowed claims as part of the stated reasons for allowance. Applicant agrees with the Examiner's conclusion regarding the patentability of the allowed claims, without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, Applicant believes that the claims are allowable because the prior art fails to disclose, teach or suggest the subject matter recited in the allowed claims, independent of how the subject matter of one or more of these claims may be paraphrased or otherwise described.

If the Examiner has any questions or wants to discuss this matter in more detail, the Examiner is invited to contact Applicant's undersigned attorney at the number listed below.

Respectfully submitted,

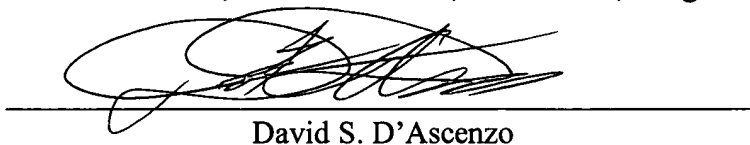
KOLISCH HARTWELL, P.C.



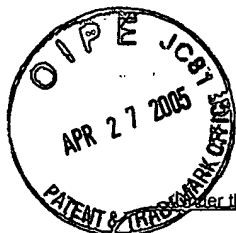
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on April 26, 2005.



David S. D'Ascenzo



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/627,579

Filing Date

July 24, 2003

First Named Inventor

Jay E. Gerow

Art Unit

3711

Examiner Name

Benjamin Layno

Attorney Docket Number

ZDI 301E

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☒

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐Power of Attorney, Revocation
Change of Correspondence Address☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐

Landscape Table on CD

☒

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify
below):*ISSUE FEE TRANSMITTAL
(in duplicate)

Remarks

The After Allowance Communication is a Comments on Statement of Reasons for Allowance.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Kolisch Hartwell, P.C.

Signature

Printed name

David S. D'Ascenzo

Date

April 25, 2005

Reg. No.

39,952

CERTIFICATE OF TRANSMISSION/MAILING

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Signature

Typed or printed name

David S. D'Ascenzo

Date

April 25, 2005

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